



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/685,760	10/15/2003	Yoshikazu Hamada	114208-017	6306
24573	7590	01/11/2005	EXAMINER	
BELL, BOYD & LLOYD, LLC PO BOX 1135 CHICAGO, IL 60690-1135			SANDY, ROBERT JOHN	
			ART UNIT	PAPER NUMBER
			3677	
DATE MAILED: 01/11/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/685,760

Applicant(s)

HAMADA, YOSHIKAZU

Examiner

Robert J. Sandy

Art Unit

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 October 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/22/2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION***Claim Objections***

Claims 1, 3, 8 and 12 are objected to because of the following informalities:

In claim 1, lines 1 and 2, the preamble should be changed to read as - - A slider for a slide fastener provided with an automatic stopper device, the slider comprising a body - - in order to clearly set forth the limitations of the *slider* instead of the *stopper device*.

In claim 3, line 3, "portionfor" should be change to read as - - portion for - -.

In claim 8, line 3, recitation of "a mounting post" is a double inclusion of one of the *mounting posts* established in claim 1. The phrase should be changed to read as - one of the mounting posts - - to be consistent with the subject matter of claim 1.

In claim 8, line 5, the phrase "another one" is ambiguous, and should be changed to be specifically descriptive of its structure (e.g., *the other mounting post*).

In claim 12, bridging lines 6 and 7, the phrase "the mounting post" should be changed to read as - - one of the mounting posts, since a "mounting posts" have been established in claim 1, line 3. Likewise, in line 10, "the mounting post" should be change to read as - - the one mounting posts - -, in order to distinguish it from "the other mounting post".

In claim 12, line 15, "and and" should be changed to - - and - -.

Appropriate correction is required.

Drawings

The drawings are objected to under 37 CFR 1.83(a) because they fail to show the claimed detail of "a convex portion" of the leaf spring (claims 3, 5, and 11), and as described in the specification. The Specification provides support for establishing a convex portion 32 of the leaf spring. However, Figure 11 appear to show features indicated by drawing reference numeral 32 as being planar and rectangularly shaped end portions of leaf spring 4. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an

Art Unit: 3677

amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

The disclosure is objected to because of the following informalities: On page 16, line 11, "37in" should be changed to - - 37 in - -. On page 23, line 15, "body1" should be changed to - -- body 1 - -. Appropriate correction is required.

The specification is objected to under 35 U.S.C. § 112, first paragraph, as failing to teach how to make and/or use the invention, i.e., failing to provide an enabling disclosure

The following is a quotation of 37 CFR 1.71(a)-(c):

(a) The specification must include a written description of the invention or discovery and of the manner and process of making and using the same, and is required to be in such full, clear, concise, and exact terms as to enable any person skilled in the art or science to which the invention or discovery appertains, or with which it is most nearly connected, to make and use the same.

(b) The specification must set forth the precise invention for which a patent is solicited, in such manner as to distinguish it from other inventions and from what is old. It must describe completely a specific embodiment of the process, machine, manufacture, composition of matter or improvement invented, and must explain the mode of operation or principle whenever applicable. The best mode contemplated by the inventor of carrying out his invention must be set forth.

(c) In the case of an improvement, the specification must particularly point out the part or parts of the process, machine, manufacture, or composition of matter to which the improvement relates, and the description should be confined to the specific improvement and to such parts as necessarily cooperate with it or as may be necessary to a complete understanding or description of it.

Art Unit: 3677

The specification is objected to under 37 CFR 1.71 because it fails to provide an enabling disclosure teaching how to make the claimed invention, as to the following: The specification fails to set forth an enabling disclosure explaining how the first holding portions and the second holding portions are disposed such that they are shifted from each other in a longitudinal direction when the body and the cover are assembled.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 6 is rejected under 35 U.S.C. 112, first paragraph, for the reasons set forth in the objection to the specification as failing to comply with the enablement requirement. The claim contains subject matter pertaining to *the first holding portions and the second holding portions are disposed such that they are shifted from each other in a longitudinal direction when the body and the cover are assembled*, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention, as to the following:

In claim 1, recitation of the phrase “the respective holding portions” (bridging lines 9 and 10) is indefinite since it is not certain whether the *respective holding portions* are definitive of the “first holding portions”, the “second holding portion”, or each of the first and second holding portions.

Art Unit: 3677

In claim 4, lines 5 and 9, the subject matter pertaining to “an allowance” is not understood in meaning.

In claim 5, lines 6 and bridging lines 9 and 10, the subject matter pertaining to “an allowance” is not understood in meaning.

In claim 6, the term “they” is indefinite, per se, for not being definitive of any particular claimed structure.

In claim 9, line 7, the subject matter pertaining to “an allowance” is not understood in meaning.

In claim 10, line 6, the subject matter pertaining to “with allowance” is not understood in meaning.

In claim 11, line 6, the subject matter pertaining to “an allowance” is not understood in meaning.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 3, 7, and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Mizuno (U. S. Patent No. 5,664,330, cited by applicant). Mizuno (‘300) discloses a slider for a slide fastener provided with an automatic stopper device, the slider comprising a body (1), a pull tag (2), a pawl member (3), a leaf spring (4) and a cover (5) while mounting posts (12, 13) being provided on front and rear portions of an upper blade (6) of the body and first holding portions (22) for holding the leaf spring is provided on the top faces of the mounting posts, wherein second holding portions (indicated in Fig. 4 of Appendix) for holding the leaf spring are provided on front and rear portions of an inner face of the cover, the leaf spring is provided between the respective holding portions and such that the leaf spring can play freely, a pivoting shaft (27) of the pull tag and a pawl member (3) are interposed between the leaf spring and the upper blade and the cover is fixed on the mounting posts;

(concerning claim 2) the leaf spring has a concave portion (35) for accommodating one of the first holding portions and one of the second holding portions at least at an end of a rectangular plate;

(concerning claim 3, as best understood) the leaf spring has a convex portion (40, Fig. 6) for being accommodated in one of the first holding portions and one of the second holding portions at least at an end of a rectangular plate;

(concerning claim 7) the body and the cover are so configured that space portions (respective spaces adjacent to the spring end portions) are formed on respective opposing faces of each of the first holding portions disposed in the body and each of the second holding portions disposed in the cover;

(concerning claim 8) one of the space portions is provided in a mounting post of the body so as to form a first accommodating portion for accommodating the second holding portion while another one is provided in an inner face of the cover so as to form a second accommodating portion for accommodating the first holding portion (see Figs. 2 and 5); and

(concerning claim 12) a first accommodating portion (23, 26) is provided on an outer side of each of the first holding portions provided in each of the mounting posts on a front portion of the body, a recess (18) for accommodating an end of the pawl member is provided on an inner side of one of the mounting posts, the first accommodating portion is provided on an outer side of the first holding portion provided in the other mounting post, a pawl hole (20) for insertion of a locking pawl is provided on an inner side of the one mounting post, the second holding portions are provided at front and rear ends of an inner face of a top wall of the cover, a second accommodating portion (proximal portion of cover 5 having end walls between side wall portions 38) is provided in a proximal portion of each of the second holding portions, the leaf spring is provided between the first and second holding portions and the cover is formed so as to be fixed to the mounting posts.

Allowable Subject Matter

Claims 4, 5 and 9-11 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

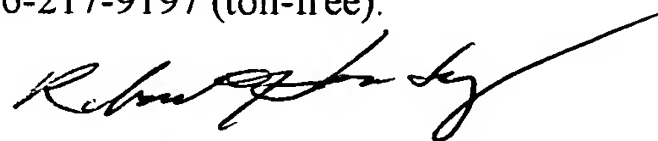
Art Unit: 3677

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert J. Sandy whose telephone number is 703-305-7413. The examiner can normally be reached on M-F (7:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J.J. Swann can be reached on 703-306-4115. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



ROBERT J. SANDY
PRIMARY EXAMINER

Robert J. Sandy
Primary Examiner
Art Unit 3677

APPENDIX

U.S. Patent

Sep. 9, 1997

Sheet 3 of 8

5,664,300

FIG. 4

